



## City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

### CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

**Project Number:** 3011720

**Applicant Name:** Chris Davidson with Studio Meng Strazzara Architecture  
for GRE Fremont LLC

**Address of Proposal:** 3606 Woodland Park Avenue North

#### **SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a four-story building containing one live-work unit at grade with 51 residential units above. Parking for 33 vehicles to be provided at grade within the structure. The existing on-site structure will be demolished.

The following approvals are required:

**Design Review** - Seattle Municipal Code (SMC) Chapter [23.41](#).

**SEPA - Environmental Determination** – SMC Chapter [25.05](#).

**SEPA DETERMINATION:**      ☐ Exempt   ☐ DNS   ☐ MDNS   ☐ EIS  
   ☒ DNS with conditions  
   ☐ DNS involving non-exempt grading, or demolition or  
   involving another agency with jurisdiction.

#### **Notice of Application and Comment Periods**

Public notice of the Early Design Guidance meeting was given on December 27, 2010. The meeting was held on January 10, 2011. Public notice of the application was given on February 24, 2011; the public comment period on the application ran from February 24 to March 9, 2011. Public notice of the initial Design Review Recommendation meeting was given May 26, 2011; the meeting was held on June 13, 2011. Public notice of the final Design Review Recommendation meeting was given July 7, 2011; the meeting was held on July 25, 2011. The Land Use Application file is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000<sup>1</sup>.

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<sup>1</sup> <http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>

## **BACKGROUND DATA**

### **Project Description**

The applicant proposes a 4-story (approximately 40 foot high) mixed-use development consisting of approximately 51 residential units, one live-work unit at grade, with parking for 33 vehicles to be provided within the structure at grade in new construction. The existing structure on-site will be demolished.

### **Vicinity Information**

The site is located northeast of the corner of Woodland Park Avenue North and N. 36<sup>th</sup> Street. The site and vicinity slope down to the south toward Lake Union. The site and vicinity slope down to the east toward Lake Union. The site consists of multiple parcels totaling approximately 0.3 acres. The site is currently vacant, relatively flat, and mostly grass-covered. Adjacent uses include a Bank of America branch bank to the east, and proposed townhomes to the north. These sites are also zoned C1-40. Across N. 36<sup>th</sup> Street to the south the zoning changes to Industrial Commercial. Uses directly south include a Lennox retail store and a Sakson Parlor industrial building. Across Woodland Park Ave. N. the uses include multifamily apartments; the apartment building is also zoned C1-40.



The site itself is zoned Commercial 1 with a 40' height limit (C1-40). The site is located in the Fremont Hub Urban Village, which encompasses all of the properties to the north, south, east and west of the site.

The neighborhood is a transitional area from heavy commercial and industrial to residential uses. The area has experienced additional residential density in recent years, particularly along Stone Way North, one block east of the project site. The surrounding neighborhood has also experienced a large number of townhome developments. The neighborhood to the south is still characterized by more mixed industrial and shoreline-related uses. However, many of the sites in the vicinity do not reach full zoning potential and the area could experience additional redevelopment in the future. Neither N. 36<sup>th</sup> St. nor Woodland Park Ave. N. are major arterials. Stone Way, a block to the east of the site, is the main arterial in the neighborhood and is also a principal route for bicyclists. The Burke-Gilman multi-use trail is two blocks to the south of the site.

## **ANALYSIS – DESIGN REVIEW**

### **Design Guidance**

At the Early Design Guidance meeting held on January 10, 2011. **Three development options were presented** — the 'Red Delicious', Sloped Roof, and 4th Floor Clerestory. However, all three use a common "T" scheme for the massing and structure siting. The "T" scheme — fronts on Woodland Park Ave N — includes live/work units at the ground level with three levels of residential units above. Approximately 30 to 40 feet back from the front lot line at grade, screened surface parking for 40

vehicles is proposed and is covered by three levels of residential units. The residential upper levels are setback 13 feet from the northern property line and 13 feet from southern property line.

### Public Comment

Approximately four members of the public attended the Early Design Review meeting. The following comments, issues and concerns were raised:

- Concerned about the future rental rates on the units.
  - Applicant's response: Workforce housing (100 to 120% median income), for example a restaurant worker or bank teller.
- Owner/resident from the adjacent southern building stated that he was concerned about the fence separating the sites.
- Wanted to know the timeline for construction.

At the Initial Recommendation Meeting held on June 13, 2011. The applicant focused on four primary areas that the Board asked for more information. The applicant noted that the proposed program now includes 51 units and one live-work unit (an increase in residential units and a decrease in live-work units since EDG). The design of the street level façade was modified in response to EDG direction, including storefront windows for the live-work unit instead of the previous punched window design, use of ground face and split face CMU, and a recessed residential entry with a colorful canopy.

The outside design of the project had changed significantly since the Board last reviewed the project. The previous design was a "bite of an apple" concept, in which the "skin" of the building was to be a delicious red color, with the facades that included windows and decks to be the "bite" of the apple colored in white and green, with "seeds" as the windows. The applicant modified the design in response to EDG direction to incorporate context from nearby development.

The proposed street facing façade was modified be more "playful" with colors and modulation and materials to reflect the context of nearby development. The applicant noted a distinct pattern of royal/navy blue colors used on nearby buildings, paired with dark concrete/masonry colors, which was used in the proposed façade design. An orange canopy was added to the entry of the project to help enhance the main entry and make it more visible to the street. Modulation was proposed in the form of variations in roof form, variations in color, and variations in materials.

The upper level residential units were designed with large slider windows and railings for a Juliet balcony appearance and natural light to the units. The applicant showed a colors and materials board (CMU, cementitious panels, wood fence, beige vinyl upper windows, and gray aluminum storefront). During the presentation, the applicant showed a landscape plan with sedums at the rooftop vegetation, evergreen shrubs in the street front planter, and evergreen hedge at the south side of the parking area. The applicant also showed the Board a shadow study and lighting plan at this meeting.

Through additional questions from the Board, the applicant explained the following items about the current proposed design:

- Surface parking would be located inside the building envelope, but open to the air. It would be screened with a 5' high wood fence on the north and south sides, a CMU wall at the east façade, and an evergreen (*Pyramidalis*) hedge at the south side. A columnar tree is proposed at the southeast corner, which should be visible to pedestrians on Stone Way and N. 36<sup>th</sup> St.
- There are two units that would include terraces instead of Juliet balconies on the north and south ends of the "T" shape.
- Views are possible from this site to Lake Union, especially from the top two floors of the building.
- Only CMU is proposed at the east property line, since the proposed development would be located at the property line. The proposal does not include a green screen or vegetation at this façade. The east wall would include a combination of split face and ground face CMU applied in a banding pattern for visual interest.
- The applicant has worked with Seattle Public Utilities and the recycling/trash collection design would be acceptable.
  - The proposed steel doors accessing the trash area would be located at street level on Woodland Park Ave N. and would be painted gray steel to match the storefront design.
- The current design does not include the green canopy above the exposed parking area that was proposed at EDG because the applicant felt that it could cause drainage issues, reduce passive ventilation for the parking area, and reduce natural daylight to the parking area.
- The current design concept differs substantially from the "apple" design concept shown at EDG, despite the Board's support for that design concept.

#### Public Comment

Two members of the public added their names to the Sign-In Sheet at this Initial Recommendation meeting. No public comments were offered at the meeting.

#### **BOARD DIRECTION — Initial recommendation meeting**

**At the conclusion of the initial Recommendation meeting, the Board recommended the project should return for a second Recommendation meeting.**

In the Recommendation packet for the second Recommendation meeting, the applicant should provide the following information:

- All the information provided at the Initial Design Recommendation meeting
- Clear information about the proposed program (site size, square feet of live-work unit, number of residential units, number of parking spaces, etc.)
- Overall and detailed elevation drawings of all four facades
  - Include shadowed colored elevations, perspective graphics, and other graphics needed to demonstrate how the proposed design meets the Design Review Guidelines

- Dimensioned plans and elevations that demonstrate proposed modulation
  - Demonstrate how the proposed modulation responds to nearby context.
- Dimensioned floor plans, with clear indication of how the floor plans relate to the building facades
- Building sections, including adjacent development and topography (minimum one north-south section and one east-west section)
- Description and graphics that demonstrate how the proposed parking area will provide safety and security for building users, per Guideline D-7. Graphics should clearly demonstrate the appearance of any proposed screening, lighting, and passive (“eyes on the street”) or active (security system) surveillance methods.
- Landscape plan showing location, species and size of proposed plants, as well as information about special paving surfaces and any green screen materials
  - Include planter area dimensions
- Colors and materials information, with a colors and materials board presented at the Recommendation meeting
- Demonstration of how the proposed design responds to the guidance for Blank Walls (D-2)
- Identify any proposed departures (code requirement, proposed departure, code section, rationale for how the proposed design better meets the Design Review Guidelines)
- Demonstrate how the proposed design concept relates to nearby context, and also how the proposal is based on a unified design concept, such as the original “apple” concept.

Final Recommendation Meeting: July 25, 2011

At the initial recommendation meeting, the Board asked the applicant to focus on four main areas: 1) neighborhood context/architectural concept, including more detail on modulation, 2) treatment of the zero lot line walls to minimize the impacts of blank walls on adjacent properties, 3) more detail regarding the landscaping plan, 4) more detail regarding the at-grade parking and safety and security throughout the site. The applicant walked through these focus areas in turn.

*Project Elevations and Renderings.* The Board requested additional elevations and views of the project in order to see all facades. The applicant walked around the building, showing all elevations and noting project details. The Board focused on the parapet, and the project’s treatment of the upper levels. The applicant noted that the CMU goes up on the parapet a little bit and there is a bit of white trim on top of the blue area on the Woodland façade to add a bit of relief. The elevator overruns are being kept simple to be consistent with the generally simple industrial architecture in the surrounding area.

Public Comment (at the final recommendation meeting)

One member of the public, Eric Thiel, added comment. Mr. Thiel stated that he is chair of the Fremont Land Use Committee. He had concerns regarding the height, bulk and scale of the project, the impact of the project on the Fremont “viewshed,” and concerns about noise and visual impacts of the roof

area. He stated that he liked the activation of the streetscape with the live/work unit, but wanted to ensure that this would actually be a place to work, not just live. He asked the Board to look at the materials being considered—there is a lot of historic fabric in the neighborhood and this should be taken into account. Finally, he stated that pedestrian safety should be examined regarding the garage exit and entry, and that all services, such as mailboxes, should be kept inside the building.

## **DESIGN GUIDELINE PRIORITIES**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following design recommendations.

### **A. Site Planning**

#### **A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

*At the Early Design Guidance Meeting, the Board asked about building configuration and whether or not different massing options were explored.*

*THE APPLICANT wanted to avoid an 'L' shape because the goal was to maximize the amount of light and air that reaches every residential unit. Building within 3'-0" of the lot lines would not allow windows on these facades (Building Code requirement). Providing a 'T' at the street front allows windows and provides adequate light and air to each unit. Stepping back from the property line along the north will also allow the existing apartment building to maintain their access to light and air.*

*At the Initial Recommendation Meeting, the Board didn't express concern with the proposed massing of the design, but did express concern with the blank walls that appear to come with placing the development at the property lines. More direction about this issue is found in response to Guideline D-2.*

*At the Final Recommendation Meeting, the applicant explained the context in which the project sits — the Fremont neighborhood. There are certain patterns in the neighborhood including patterns of scale, patterns of color, and patterns of modulation. The applicant stated that the original design, the "apple" concept, had little to do with neighborhood context. At the EDG, the Board asked the applicant to respond better to the neighborhood context. The result was the present design, intended to better relate to the existing neighborhood.*

*The Board found that the project was properly responding to site characteristics. It stated that the project had a good solution for the zero lot line/blank walls, and chose Option C as the pattern to be placed on the east, north, and south facing zero lot line walls to address impacts to neighboring properties.*

**A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

*At the Early Design Guidance Meeting, the Board expressed concern with the live/work spaces. These should create a common edge along Woodland Park Av N and have a commercial space appearance.*

*The building is sited between 1'-0" and 3'-0" off the sidewalk along Woodland Park Ave N. The building is canted at this level (live-work units) to emphasize entry. The Board recommends pushing back the live-work units to be square with the building and allow a little more privacy for these tenants.*

*At the Initial Recommendation Meeting, the Board didn't comment on the design of the single live-work unit, but noted that additional information is needed to demonstrate how the streetscape landscaping will relate to the overall design. More direction about this issue is found in response to Guideline E-3.*

**A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.**

*At the Early Design Guidance Meeting, the Board was concerned that the residential entry as it is currently shown was too diminutive. The Board gave recommendations to explore awnings, benches, or other details that could make more of a statement at the residential entry from Woodland Park Avenue N. [Look at 'The Solstice' project as a precedent for the neighborhood On Woodland Park Ave, just north of the site].*

*At the Initial Recommendation Meeting, the Board didn't comment on the residential entry design, but asked for additional information to demonstrate how the streetscape landscaping will relate to the overall design. More direction about this issue is found in response to Guideline E-3.*

*At the Final Recommendation Meeting, the Board was satisfied with the information presented to the Board regarding both the parking entry and the residential and live/work entries, particularly the close up renderings. It was noted that the street frontage met the transparency calculations.*

**A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.**

*At the Early Design Guidance Meeting, the Board recommended adding something by way of vegetation to the south side of the building to add interest to the 2nd floor level as they can be seen from 36th Avenue. This may include trees or enclosing the parking lot. The applicant will investigate this but noted that enclosing the parking lot may include a financial hardship because it would mean adding mechanical ventilation to the parking area.*

*At the Initial Recommendation Meeting, the Board was concerned about the proposed parking lot design and the lack of information about landscaping and screening and security for that design. More direction about this issue is found in response to Guidelines D-2, D-5 and D-7.*

*At the Final Recommendation Meeting, the Board was satisfied with the amount of information presented regarding this guideline. The Board was satisfied with the way in which the project addressed the parking area with a residential fence and landscaping surrounding. The live/work unit will also add some activity to the street.*

- A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

*Early Design Guidance and Initial Recommendation reflect the comments in response to A-4.*

*At the Final Recommendation Meeting, the Board was satisfied that the project had properly addressed this guideline.*

- A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

*Early Design Guidance and Initial Recommendation reflect the comments in response to A-4.*

*At the Final Recommendation Meeting, the Board was satisfied that the project had properly addressed this guideline. In particular, the residential entry was properly lit, and the surface parking lot was properly secured and lit to discourage criminal activity.*

- A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

*Early Design Guidance and Initial Recommendation reflect the comments in response to A-4.*

*At the Final Recommendation Meeting, the Board was satisfied that the project properly addressed this guideline. The project meets open space calculations, and the roof deck will provide an attractive option for residents to use open space.*

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| <b>B. Height, Bulk and Scale</b> |
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- B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.**

*At the Early Design Guidance Meeting, the Board discussed more modulation along the front façade because of the large scale of the building compared to adjacent context. Look at examples in the neighborhood just to the north of the site.*

*At the Initial Recommendation Meeting, the Board noted that at EDG, they had directed the applicant to develop the proposed design concept with additional modulation in response to nearby context. The current design's CMU and modulation are proposed as solutions to that direction. The resulting design, however, is substantially different from the design concept presented to and supported by the Board at EDG.*



*The presentation and packet were lacking sufficient information for the Board to make a determination about whether the proposed design responds to guidance from EDG. The Board recommended that the applicant return for a second Recommendation meeting with more detail about the proposed design, including modulation dimensions and how the modulation relates to nearby context.*

*At the Final Recommendation meeting, the Board was satisfied with the information presented regarding modulation patterns. Of the two options presented regarding modulation, the Board chose Option B for modulation, stating that Option B creates a better shadow line and more punch. It also gives the building a more orderly look. The Board felt that this modulation pattern properly addressed height, bulk, and scale compatibility. Also see the comments to Guideline C-1.*

## **C. Architectural Elements and Materials**

### **C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

*At the Early Design Guidance Meeting, the Board directed the applicant to design the proposal with consideration to the established structures along Woodland Park Av N.*

*The Board determined that the preferred concept is good and looks forward to further developments of this scheme. The applicant's description of the relief of materials and fenestration on the facades is a good way to activate the street-front. The Juliette balconies shown along the south are already showing progress.*

*At the Initial Recommendation Meeting, the Board noted that this was previously described as a "pod of projects" in the area. The applicant intends to use this design concept in at least two other sites. The Board noted that it will be a challenge to fit the concept with the context of the site and area for each location.*

*The Board noted that at EDG, they had requested that the applicant incorporate the context of the brick building next door to respond to the context of this site. The CMU and modulation is proposed as a solution to that context.*

*The presentation and packet were lacking sufficient information for the Board to make a determination about whether the proposed design responds to guidance from EDG. The Board recommended that the applicant return for a second Recommendation meeting with more detail about the proposed design, including modulation dimensions and how the modulation relates to nearby context.*

*The applicant should demonstrate how the proposed design concept relates to nearby context, and also how the proposal is based on a unified design concept. One way to achieve this would be to further develop the original "apple" design concept that was supported by the Board at EDG.*

*At the Final Recommendation Meeting, the Board stated that it had sufficient information to determine that the project had addressed this guideline. It accepted the applicant's*

*explanation of the evolution of the project away from the apple concept and stated that the project's design was more consistent with the neighborhood's existing context. The Board commented that the project now has a more honest concept, and reads more like a typical workaday, workforce project in an evolving industrial neighborhood. The overall massing and scale of the project in particular works well with the neighborhood. The board also stated that showing the project in a 3D model assisted with providing the information needed to understand the architectural concept of the project.*

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

*Early Design Guidance and Initial Recommendation, and Final Recommendation reflect the comments in response to C-1.*

*At the Final Recommendation Meeting, at the Initial Recommendation meeting, the Board asked the applicant more information regarding the modulation proposed for the façade facing Woodland Park Ave. N. Modulation was proposed in three different ways—changes in materials/textures, changes in colors, and changes in the building's upper level façade setbacks. The applicant presented the Board with two options for modulation. Option A was the same option presented at the initial recommendation meeting. Option A proposed three different materials (CMU, hardy panel, and lap hardy board), four different colors (cream, gray, royal blue, white), with three different façade movements of 6". Option B proposed the same material and color patterns as Option A, but proposed a larger façade movement of 12". Also, the façade movement was simpler in form with three different façade movements, rather than the four proposed in Option A.*

*The Board felt the project met this guideline. The Board liked the overall massing and scale of the building and stated it fit within the neighborhood. The Board also liked the details along the roofline (CMU and white banding).*

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

*At the Early Design Guidance Meeting, the Board noted there is no predetermined set of materials, however the applicant should respond to the block front north and south of the proposal.*

*The Board recommends looking into more "sturdy-looking" materials for the base of the building at the street front (live-work units) so as to break up the building massing. CMU might be a good choice and can be used to wrap the corner to become the blank wall. Masonry might also be a better option because of its three-dimensionality and ability to hold onto vines and greenery better than the corrugated metal panel as shown.*

*Initial Recommendation reflects the comments in response to C-1.*

*At the Final Recommendation Meeting, the Board stated that it appreciated the materials used in the project. It liked the different tones of CMU and stated that several of the materials had been used nearby in the neighborhood. It was also noted that the materials proposed are very durable. The Board strongly encouraged the applicant to maintain the quality of materials shown at the meeting.*

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| <b>D. Pedestrian Environment</b> |
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**D-2 Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

*At the Early Design Guidance Meeting, the Board stated that the biggest issue is the blank facades and would like the applicant to explore optional materials, specifically for the eastern, northern, and southern blank facades.*

*The Board has concerns about the large blank walls on site. There is lots of variety in the neighborhood of Fremont and there are many possibilities to be more expressive at this site. Blank walls can be made more interesting by simple things like reglets, CMU, etcetera.*

*At the Initial Recommendation Meeting, the Board was concerned with the lack of information in response to this high priority item from EDG. The applicant should return with additional information at the next Recommendation meeting, demonstrating proposed details to create visual interest and detailed information about the proposed fence and landscape screening.*

*The Board noted that the four story blank wall at the east façade is a particular concern, and banded CMU materials may not be sufficient to meet this guideline. Mitigation of this four story blank wall is important because it is highly visible to pedestrians at Stone Way North, across the open bank parking lot. Detailed information about the proposed materials (coursing, finishes, etc.) is needed to determine whether the proposal meets this guideline. The applicant should consider the use of additional treatments, such as a planted area with vines.*

*The Board was unable to comment on the potential blank wall issues at the north and south facades because of the lack of information. The applicant should provide detailed and overall information to demonstrate the proposed design of these facades, including fences, landscaping, materials, and modulation.*

*At the Final Recommendation Meeting, the applicant acknowledged the Board's concern regarding the appearance of the zero lot line walls. Zero lot line walls occur on the east façade, and on the north and south facades. The walls are proposed at the property line with the expectation that future development could occur at the property line. Nevertheless, the walls are visible from the neighbors presently, so four different options of how to treat the walls were presented. Option A would use two different CMU materials, the darker gray material forming the background, and the lighter gray material forming horizontal bands across the façade. Option A also includes punched openings at the pedestrian level that would be covered with a transparent metal grate material. Option B would also include two different CMU materials, the darker material again forming a backdrop, with the lighter gray material forming a horizontal dropped cornice line across the top, and vertical bands extending above the punched openings at the pedestrian level. Option C includes the use of three different CMU materials.*

The medium dark gray material would form the backdrop, while the lighter gray material would form narrow horizontal bands and a dropped cornice line. The darkest material would form vertical accent bands. Option C also included the punched pedestrian openings with transparent metal screens. Option D included only two CMU materials, but included horizontal banding and transparent screens that reached up the height of the façade.

*The Board was satisfied with the materials presented. As stated above, the Board chose Option C to mitigate impacts of the blank zero lot line walls and stated that this was a good solution. Greenscreens were found to be unworkable because greenery would likely not survive on the wall, and the walls are being held back only 4 inches from the property line, limiting the space available for greenery.*

**D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

*At the Early Design Guidance Meeting, the Board encouraged the applicant to explore 'greening' or landscaping opportunities for the southern surface parking area, especially as viewed from the upper residential units within the structure and as viewed from the southern adjacent property.*

*At the Initial Recommendation Meeting, the Board didn't have enough information about the proposed screening to make a recommendation about this item, but expressed concern with the appearance of parking as viewed from above and from adjacent properties. The applicant should return with information that demonstrates how the proposed design meets this guideline.*

*At the Final Recommendation Meeting, the Board was satisfied with the information presented by the applicant regarding the surface parking area. The Board was satisfied that the parking would be adequately screened from view from adjacent properties, but would be adequately open to view (for safety and security reasons) to residents above. The board asked the applicant to explore opening the fence surrounding the parking area (above four feet, subject to zoning approval) to open up the parking area to view somewhat.*

**D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

*At the Early Design Guidance Meeting, the Board did not identify this as a priority guideline, based on the information provided at the Early Design Guidance meeting.*

*At the Initial Recommendation Meeting, the Board noted that the proposed parking lot design seems to raise safety and security concerns, given the partially open design that could allow access over 5' fences, but without the safety of "eyes on the street" in the parking area.*

*The Board didn't have enough information about the proposed screening and accessibility of the parking to make a recommendation about this item. The applicant should return with information that demonstrates how the proposed design meets this guideline.*

*At the Final Recommendation Meeting*, the Board asked the applicant to provide additional information regarding safety and security at the streetscape and the parking lot, and to provide additional lighting information. The applicant first presented its lighting plan. Fixtures that provide a wall wash above and below are proposed along North, South and West. The intent in providing high levels of building lighting is to help deter any crime, and to allow residents above to see what is going on below. The wall wash lights will also highlight the building. The building's drive aisle will also be well-illuminated, which will reduce hiding places and will allow residents to see if the parking door has closed. Under canopy lights will also provide pedestrian downlighting and will provide safety for pedestrians entering the building. Finally, the rooftop terrace will be lit with downshielded cut off fixtures to provide enough light for safety but without impacting neighboring properties.

The Board asked for more detail regarding the fence surrounding the parking area. The fence will be residential in scale and in feel and constructed of typical residential cedar fence boards, 6 feet in height. A foot tall, trellis-like decoration will be added to the top of the fence for visual interest.

The Board also asked for more detail regarding the garage entry. The garage entry will be gated with an open metal mesh garage door that will keep a visual connection to the parking area from the right-of-way for safety concerns. The garage entry also allows a queue/load zone in front of the garage door to allow tenants to ensure that the garage door has closed prior to entering traffic.

*The Board stated that the raising of the fence to 6', plus a one foot trellis element, would properly create a safe parking area. The Board was satisfied with the other safety and lighting features for the parking area and for the building generally.*

**D-9 Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.**

*At the Early Design Guidance Meeting, the Board recommends that if live-work units have 13'-0" ceilings, then the scale of the fenestration can be much larger to emphasize that they can function as commercial spaces.*

*At the Initial Recommendation Meeting, the Board didn't comment about this item, but requested that the applicant return with more information about the proposed façade design, especially materials and modulation as described in response to Guideline C-1.*

*At the Final Recommendation Meeting, the Board was satisfied with the minimal amount of commercial signage shown for the one live/work unit.*

**D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.**

*Early Design Guidance and Initial Recommendation reflect the comments in response to D-9.*

*At the Final Recommendation Meeting, more detail was presented regarding the lighting plan. The Board felt the lighting plan addressed this guideline.*

- D-11 Commercial Transparency.** Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

*Early Design Guidance and Initial Recommendation reflect the comments in response to D-9.*

*At the Final Recommendation Meeting, a close-up rendering of the commercial frontage was shown. The Board was satisfied with the transparency of the live/work unit, and noted that the project met transparency requirements.*

- D-12 Residential Entries and Transitions.** For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

*At the Early Design Guidance Meeting, the Board didn't seem to have specific comments about this item, but identified it as a priority guideline for the proposed design.*

*At the Initial Recommendation Meeting, the Board didn't comment on this item, but noted that more information about the façade design is needed.*

*At the Final Recommendation Meeting, The Board stated that it was satisfied with the transition between the residential entry and the street, noting that the entry had been setback somewhat to allow residents to queue off the sidewalk to get into the building.*

|                       |
|-----------------------|
| <b>E. Landscaping</b> |
|-----------------------|

- E-3 Landscape Design to Address Special Site Conditions.** The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

*At the Early Design Guidance Meeting, the directed that green wall/living wall is not made from deciduous plants so that they don't die off in the fall. Board also directed the applicant to look into using some type of trailing greens from the green roof so that it can be seen from the street level. The applicant's Landscape architect noted that trailing vegetation does not typically do well in the long run in places like Seattle, but it can be explored.*

*The Board wants the team to maximize the use of street trees in the right-of-way areas.*

*At the Initial Recommendation Meeting, the Board reiterated the guidance from EDG, and noted that the proposed landscape plan should demonstrate the details of the proposed planters at the west building façade, and any proposed landscape screening at the north/south façades. The Board recommended additional landscape screening at the north and east facades, and above the parking area.*

*At the Final Recommendation Meeting*, the proposed landscape plan has not changed since the EDG, but the Board had not had the chance to see the plan in their packets at the last meeting. The plan was described as a simple urban streetscape. Plants to be used include laurel shrubs and grasses. The blue colors of the landscape materials will accent the blue in the building. The plan also includes a tree at the southeast corner of the building to shield the parking area and to give some relief to the rear view of the building. Evergreen shrubs will also be planted on the project side of the parking area's fence to screen views of the parking area. Wayfinding elements in the form of different concrete colors will be added to help residents and pedestrians find the entry and find the garage entry. The Board's previous concern with the 18" wide planting strip in front, would be planted with grasses in this area directly in front of the building because it would help soften the building a bit. This area will be irrigated to ensure plant survival. The green roof deck material would be a sedum mat system. The zero lot line walls do not have enough room for greenery to grow on them, and greenery may not survive in such a harsh environment.

*The Board was satisfied with the landscape architect's presentation, and the explanation that green materials bordering the zero lot line walls would not have enough room to grow, and would not grow in such a harsh environment. The Board liked the addition of the small tree at the south east corner of the property to screen the wall from view.*

## **DEPARTURES**

No development standards were proposed.

At the Final Recommendation meeting, the Board recommended approval of the project's design as presented, by a 4-0 vote (one vote abstaining). **The following design review conditions to be incorporated into the plans prior to the MUP issuance:**

***Recommendation #1. The project shall be constructed with the materials (or substantially similar in terms of style and quality) presented at the meeting, with changes to be approved by DPD.***

***Recommendation #2. The applicant shall explore spacing out the fence boards to allow more light and air through the fence, above 4' to allow for headlight screening. If such a change requires a departure, the condition shall not be required.***

***Recommendation #3. The project shall include modulation Option B.***

***Recommendation #4. The project shall include blank wall treatment Option C.***

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

*The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:*

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*

- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Director of DPD to adequately conform to the applicable Design Guidelines.

## **ANALYSIS & DECISION – DESIGN REVIEW**

### **Director’s Decision**

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include all of the recommendations of the Design Review Board. The Director of DPD has reviewed the recommendations and decision of the Design Review Board made by the five members present at the meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board’s conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines.

Therefore, the Director accepts the Design Review Board’s recommendations and **Conditionally Approves** the proposed design with the conditions summarized at the end of this Decision.

### **ANALYSIS—SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and exceeds four dwelling units.

The applicant provided the initial disclosure of this development’s potential impacts in an environmental checklist dated February 3, 2011. The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant, reviewed the project plans, considered pertinent public comment; and forms the basis of this analysis and decision based on its experience as lead agency with review of similar projects.

As indicated in this analysis, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC [25.05.665 D](#)) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Adverse impacts are anticipated from the proposal. Thus, a more detailed discussion of some of the impacts is appropriate and is noted below.



### Short -Term Impacts

The following temporary construction-related impacts are expected: temporary soils erosion; temporarily decreased air quality due to dust and other suspended air particulates during construction; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts may be adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance, SMC [22.800](#) (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction). Other agencies will provide adequate mitigation for the identified impacts, such as the Puget Sound Clean Air Agency (dust/air impacts during construction).

### Earth

The proponents have submitted preliminary soils analysis for DPD review. The maximum cuts for construction of the lower level of the building will be less than five feet. DPD anticipates further study and design associated with the grading and construction permits. DPD geotechnical staff indicates that existing Codes (Grading and Drainage Control Ordinance, SMC [22.800](#)) provide authority to require appropriate mitigation for this project, and that no specific conditioning is warranted in this regard.

### Air Quality

No on-site structures exist on the project site, and therefore there will be no demolition of any on-site structures that could cause air quality issues. As such, no SEPA impacts will exist, and no mitigation is warranted.

### Environmental Health

State law provides for the cleanup and appropriate disposal of hazardous substances. The Model Toxics Control Act (WAC [173-340](#) ) is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. DPD alerts the applicant to this law and provides a contact: Joe Hickey, DOE, (425) 649-7202.

Discharge of contaminated groundwater to the sewage system is regulated by the King County Department of Natural Resources under Public Rule [PUT 8-14](#). A [factsheet](#) and permit application is available online or by calling (206) 263-3000.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Jill Trohimovich, (206) 263-8496.

Existing regulations adequately address potential impacts to environmental health. In addition, there is no evidence of environmental health issues on the project site. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

#### Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

#### Streets and Sidewalks

The proposed on-site demolition, excavation and construction are controlled by a demolition/building permit, separate from this Master Use Permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

#### Construction Noise

As redevelopment proceeds, noise associated with demolition/construction activities at site could adversely affect the surrounding residential/commercial uses. Due to the proximity of these uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC [25.05.665](#)) and the SEPA Construction Impacts Policy (SMC [25.05.675 B](#)), mitigation is warranted.

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 AM to 7 PM. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9 AM and 7 PM once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the **Noise Abatement Coordinators** (as noted in the conditions) at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

### Construction Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. In addition, most of the commercial uses in the surrounding area include enough on-site parking such that street parking is not an issue. Construction parking impacts will be insignificant and therefore SEPA mitigation of parking impacts during construction appears to be unwarranted.

### Construction Traffic

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to some traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which will not be mitigated by existing codes and regulations.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

### Long-Term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale of building in some areas of the site; increased light and glare from exterior lighting, increased noise due to increased human activity; increased demand on public services; increased traffic on adjacent streets; increased on-street parking, and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion (noted below).

The likely long-term impacts are typical of this scale of mixed use development, and DPD expects them to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of

Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the street use ordinance. However, more detailed discussion of some of these impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies.

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Parking

The Institute of Transportation Engineers (ITE) provides data in its Parking Generation report documenting average parking demand for various uses, including apartments. The typical urban apartment complex has a parking demand of 1.0 spaces per unit during the week, and 1.02 on Saturdays. A total of 39 parking spaces are proposed for the project, with 11 of these reserved for retail tenants. Given the proposed 48 residential units, the average number of spaces per unit would be 0.81.

In denser urban areas near transit, auto ownership may be somewhat lower than in other parts of an urban area; therefore, the project's residential parking demand may be slightly less than the ITE rates. In the case of the project, four bus routes are within a quarter mile of the project site and the nearest transit stop is within a tenth of a mile. The project is also located within the Fremont Hub Urban Village. However, it is unlikely that all residential parking demand will be accommodated in the 39 spaces reserved for residents. However, street parking in the vicinity is not at capacity and there will be enough street parking in the immediate vicinity to capture spillover. Therefore, no mitigation of parking impacts under SEPA is warranted or required according to SMC 25.05.675.M.

### Traffic and Transportation

Traffic will increase over existing conditions due to the addition of approximately 48 new residents to the project site. However, as stated above, in denser urban areas near transit, auto ownership may be somewhat lower than in other parts of an urban area. Therefore, the project's traffic generation may be slightly less than normal. As stated, four bus routes are within a quarter mile of the project site and the nearest transit stop is within a tenth of a mile. The project is slated to be workforce market rate housing. DPD concludes that the project's likely impacts on traffic are minimal, will not be adverse or significant, and require no additional mitigation per SMC 25.05.675.R.

### Height, Bulk, and Scale

SMC [25.05.675.G.2.c](#) states, “*The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.*”

The site is surrounded by properties that are similarly zoned. The Design Review Board considered issues of height, bulk and scale in its review of this project. The proposed structure is located on a C1-40 zoned site, and the structure conforms to zoning requirements, including height and bulk. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

### Light and Glare

The checklist discusses the project’s likely light and glare effects on the surrounding area. The proposed project exterior design emphasizes a sympathetic arrangement of glazing and materials on the facades. Lighting will be downshielded but will provide enough light in the evening to provide a safe environment. DPD therefore determines that light and glare impacts are not likely to be substantial and warrant no further mitigation per SMC 25.05.675.K.

### Other Impacts

Several codes adopted by the City will appropriately mitigate the use-related adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Clean Air Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

## **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).

## **CONDITIONS – SEPA**

The following condition(s) to be enforced during demolition/construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along

with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

The owner applicant/responsible party shall:

During Construction (including demolition)

Construction activities, other than those taking place within the enclosed building, are limited to the hours of 7 AM to 7 PM on non-holiday weekdays. It is recognized that there may be occasions when critical construction activities of an emergency nature, related to safety or traffic issues may need to be completed after regular construction hours as conditioned herein. Therefore the Department reserves the right to approve waivers of these construction hour and day restrictions. Such waivers must be requested at least three business days in advance, and approved by the Department on a case-by-case basis prior to such work. After the building is fully enclosed, on a floor-by-floor basis, interior work may be done at any time in compliance with the Noise Ordinance with no pre-approval from the Department.

1. All construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to demolition, grading, deliveries, framing roofing, and painting) shall be limited to non-holiday weekdays between the hours of 7 AM and 7 PM. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9 AM and 7 PM once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restriction may be authorized by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours are weekend days must be submitted to **Noise Abatement Coordinators** — David George [david.george@seattle.gov](mailto:david.george@seattle.gov) (206) 684-7843 or Jeff Stalter [jeff.stalter@seattle.gov](mailto:jeff.stalter@seattle.gov) (206) 615-1760 — at least **three (3) days in advance of the requested dates** in order to allow DPD to evaluate the request.

2. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.

**CONDITIONS – DESIGN REVIEW**

The owner applicant/responsible party shall:

Prior to Master Use Permit Issuance

1. The applicant shall explore spacing out the fence boards to allow more light and air through the fence, above 4' to allow for headlight screening. If such a change requires a departure, the condition shall not be required.
2. The project shall include modulation Option B.
3. The project shall include blank wall treatment Option C.

For the Life of the Project

4. The applicant must retain the fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the Design Review Board on July 25, 2011, and as modified in updated plans approved by Colin R. Vasquez, Senior Land use Planner, following the Board's recommendation meeting.

Prior to Building Permit Issuance

5. Any proposed changes to the exterior of the building must be submitted to DPD for review and approval of the Senior Land Use Planner (Colin R. Vasquez, 206-684-5639). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
6. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project, or by the Design Review Manager. As appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
7. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP Plans, and all building permit drawings.

Compliance with all applicable conditions must be verified and approved by the Senior Land Use Planner, Colin R. Vasquez (206-684-5639) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: \_\_\_\_\_ (signature on file)  
Colin R. Vasquez, Senior Land Use Planner  
Department of Planning and Development

Date: September 15, 2011